



09-27-04

RCE #/61

Atty. Dkt. No.17972-193

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul R. Gagon  
Title: AN AUDIO BOOST  
CIRCUIT  
Appl. No.: 09/444,541  
Appl. Filing Date: 11/22/99  
Examiner: PING LEE  
Art Unit: 2747

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Technology Center 2600

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

I. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

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☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☒ **Amendment/Reply.**

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

|  | Claims as Amended | Previously Paid For | Extra Claims Present | Small Entity Rate | Fee Totals    |
|--|-------------------|---------------------|----------------------|-------------------|---------------|
| RCE Fee 1.17(e):                                     |                   |                     |                      | 385.00            | = \$385.00.00 |
| Total Claims:  | -                 | = 0                 | x                    | \$9.00            | = \$0.00      |
| Independents   | -                 | = 0                 | x                    | \$43.00           | = \$0.00      |
| First presentation of any Multiple Dependent Claims: |                   |                     | +                    | \$145.00          | = \$0.00      |
| CLAIMS FEE TOTAL:                                    |                   |                     |                      |                   | = \$385.00    |

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|                          |   |            |   |        |
|--------------------------|---|------------|---|--------|
| <input type="checkbox"/> | Extension for response filed within the first month:      | \$110.00   | 0 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month:     | \$420.00   |   | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month:      | \$950.00   |   | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month:     | \$1,480.00 |   | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month:      | \$2,010.00 |   | \$0.00 |
|                          | EXTENSION FEE SUBTOTAL:                                   |            |   | \$0.00 |
|                          | EXTENSION FEE ALREADY PAID:                               | -          |   | \$0.00 |
|                          | EXTENSION FEE TOTAL                                       |            |   | \$0.00 |
|                          | CLAIMS AND EXTENSION FEE TOTAL:                           |            |   | \$0.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above):            |            |   | \$0.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) |            |   | \$0.00 |
|                          | TOTAL FEE:  |            |   | \$0.00 |

☐ Please charge Deposit Account No. 500656 in the amount of \$\_\_\_\_\_. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$385.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 500656. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 500656.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date September 23, 2004

FOLEY & LARDNER LLP  
Attn: David A. Blumenthal  
2029 Century Park East, Ste 3500  
Los Angeles, CA 90067-3000

Customer Number: 23392  
Telephone: (310) 975-7963  
Facsimile: (310) 557-8475

Respectfully submitted,

*James F. Kirk* 09/23/04

By James F. Kirk, Reg. No. 29,398

for

David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: application of: Paul R. Gagon

Serial No. 09/444,541

Group No.: 2747

Filed: 11/22/99

Examiner: Ping W. Lee

For: AN AUDIO BOOST CIRCUIT

Date: 09/23/04

EXPRESS MAIL CERTIFICATE

No: EU630594701US

CERTIFICATE OF MAILING (37 CFR 1.10)

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Technology Center 2000

Date of Deposit . . . . . September 23, 2004

I hereby certify that the following attached paper or fee (along with any referred to as being attached or enclosed)

Request for Continuing Examination

Attached: Amendment of 13 Pages and this Express Mail Certificate

Check for \$385.00

Request For Continued Examination (RCE)

Express Mail Certificate 37 CFR 1.10

Two Return Post Cards

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.8a on the date indicated above and is addressed to the : Commissioner of Patents and Trademarks, PO BOX 1450, ALEXANDRIA, VA 22313-1450.

*James F. Kirk*  
James F. Kirk or David A. Blumenthal

Type or print name of person mailing paper